

REMARKS**Summary of the Office Action**

Claims 1, 3, 5, 6, and 16 stand rejected under 35 U.S.C. § 102(b), as being anticipated by Moser (US 5,729,812).

Claims 2 and 4 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Moser (US 5,729,812) in view of Hayashi et al. (US 2002/0009306).

Claims 7, 8, and 10-13 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Moser (US 5,729,812) in view of Yura et al. (US 6,795,678).

Summary of the Response to the Office Action

Applicants have amended claims 1 and 16. Also, Applicants have cancelled dependent claims 3 and 4. Accordingly, claims 1-2, 5-8, 10-13, and 16 are presently pending.

The Rejection of claims 1-8, 10-13, and 16

Claims 1, 3, 5, 6, and 16 stand rejected under 35 U.S.C. § 102(b), as being anticipated by Moser (US 5,729,812). Claims 2 and 4 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Moser (US 5,729,812) in view of Hayashi et al. (US 2002/000 9306). Claims 7, 8, and 10-13 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Moser (US 5,729,812) in view of Yura et al. (US 6,795,678). Applicants respectfully traverse the rejections for at least the following reasons.

With respect to independent claim 1, as amended, Applicants respectfully submit that Moser fails to teach or suggest a combination comprising a fixing belt heating unit that comprises at least two tension rollers that have respective heat sources, at least one of the tension rollers with the heat source heating by contact an inner peripheral surface of the fixing belt and at least one of the tension rollers with the heat source heating by contact an outer peripheral surface

of the fixing belt. The Office Action suggests that Figure 1 of Moser discloses a “fixing belt heating unit that comprises at least two of the tension rollers that have respective heat sources, at least one of the tension rollers with the heat source heating by contact an inner peripheral surface of the fixing belt and at least one of the tension rollers with the heat source heating by contact an outer peripheral surface of the fixing belt” as claimed. Applicants respectfully disagree. Here, the cited portions of Moser refer only to support rollers (i.e., support roll 22 and 28 of Moser) in contact with the **inner surface** of the fixing belt. Thus, Applicants respectfully assert that Moser only discloses heating the inner peripheral surface of the fixing belt by contacting the inner peripheral surface and lacks any teaching of heating the outer peripheral surface of the fixing belt by contacting the outer peripheral surface. Accordingly, Applicants respectfully submit that Moser fails to teach or suggest the combination of features recited by independent claim 1 and 16, as amended, and hence dependent claims 2, 5-8 and 10-13.

Applicants respectfully assert that the rejection of independent claims 1 and 16 under 35 U.S.C. §102 should be withdrawn because Moser fails to teach or suggest each feature of independent claims 1 and 16, as amended. In addition, while the Office Action states that Moser would anticipate independent claim 1, as amended, because “[t]he heaters in Moser contact the inner surface of the belt, and the heat generated must transfer to the outer peripheral surface of the belt,” the Office Action has provided no evidence that Moser teaches or suggests this feature of independent claim 1, as amended. As pointed out in MPEP § 2131, “[t]o anticipate a claim, the reference must teach every element of the claim.” Thus, “[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. Verdegaal Bros. v. Union Oil Co. of California, 2 USPQ 2d 1051, 1053 (Fed. Cir. 1987).”

In addition, Applicants respectfully assert that Hayashi et al. and Yura et al., whether taken singly or combined, fail to remedy the deficiencies of Moser, as detailed above, since neither Hayashi et al. nor Yura et al. teach or suggest a “fixing belt heating unit that comprises at least two of the tension rollers that have respective heat sources, at least one of the tension rollers with the heat source heating by contact an inner peripheral surface of the fixing belt and at least one of the tension rollers with the heat source heating by contact an outer peripheral surface of the fixing belt,” as required by independent claim 1 and 16, as amended, and hence dependent claims 2, 5-8, and 10-13.

CONCLUSION

In view of the foregoing, Applicants respectfully request reconsideration and the timely allowance of the pending claims. Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicants' undersigned representative to expedite prosecution. If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

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